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DIVISION OF PROFESSIONAL REGULATION

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| PUBLIC MEETING MINUTES: | Board of Massage and Bodywork |
| MEETING DATE AND TIME: | Thursday, May 19, 2011 at 1:30 p.m. |
| PLACE: | 861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor Cannon Building |
| MINUTES APPROVED: | June 16, 2011 |

MEMBERS PRESENT

Holly Overmyer, Professional Member, President
Lora Bryner, Professional Member, Vice-President
Gordon Gelley, Public Member
Sharon Harris, Public Member, Secretary
Wayne Dawson, Professional Member
Sandra Jachimowski, Professional Member

MEMBERS ABSENT

None

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

James Collins, Director
Kay Warren, Deputy Director
Eileen Heeney, Deputy Attorney General
Jennifer Witte, Administrative Specialist II
Catherine Simon, Administrative Specialist II
Juli LaBadia, Court Reporter

OTHERS PRESENT

David Patterson
Sam Tobin
Jessica Zane
Barbara Dobrzanska

CALL TO ORDER

Ms. Overmyer called the meeting to order at 1:37 p.m.

REVIEW OF MINUTES

The Board reviewed the minutes from the April 21, 2011 meeting. A motion was made by Ms. Harris, seconded by Mr. Dawson, to approve the minutes as presented. The motion unanimously carried.

UNFINISHED BUSINESS

Proposal to Deny Hearing for Jessica Zane

Jessica Zane withdrew her application for Licensed Massage Therapist and would like the Board to review the application for certified Massage Technician.

Ms. Zane stated that she has completed 60 credit hours and is currently enrolled at Delaware Technical and Community College where she will be completing 40 more at which point she will apply for the upgrade to the LMT.

Ms. Zane added that she has not taken the National Certification exam.

A motion was made by Mr. Gelley, seconded by Ms. Harris to accept the withdrawal of the Licensed Massage Therapist application of Jessica Zane. The motion was unanimously carried.

A motion was made by Ms. Harris, seconded by Mr. Gelley, to approve the Certified Massage Technician application of Jessica Zane. The motion was unanimously carried.

A motion was made by Ms. Harris, seconded by Mr. Gelley, to amend the agenda and add Jessica Zane to the ratified Certified Massage Technician applications. The motion was unanimously carried.

Proposal to Deny Hearing for Samuel Tobin

The hearing went on record at 2:48 p.m.

Ms. Heeney stated that this was a proposal to deny hearing for Samuel Tobin, and had submitted as Board's Exhibit 1 a packet of documents including: the application for licensure, police investigation report, court disposition document, letter from Mr. Tobin regarding the incident, CPR card, transcripts, tabled application letter, SBI report from Delaware, proposal to deny letter, transcript of docket, Mr. Tobin's request for a hearing before the Board, and the notice of today's hearing.

The Board members were introduced.

Mr. Dawson recused himself from the hearing because he was an instructor at the school Mr. Tobin attended.

Mr. Tobin was sworn in and gave testimony regarding the incident surrounding his arrest, and stated that there have been no additional incidents since this occurred.

Ms. Heeney stated that this crime is not on the list of crimes substantially related to the practice of Massage and Bodywork and that there was an issue of Mr. Tobin obtaining an SBI report.

Mr. Dawson was sworn in and gave testimony on behalf of Mr. Tobin.

Mr. Tobin answered questions from the Board.

There was no further testimony.

The hearing went off record and into deliberations.

The hearing went back on record at 2:55 p.m.

A motion was made by Mr. Gelley, seconded by Ms. Bryner, to approve the Massage Therapist application of Samuel Tobin. The motion was unanimously carried.

The hearing went off record at 2:56 p.m.

Verbatim testimony was taken by a court reporter.

Proposal to Deny Hearing for Barbara Dobrzanska

The hearing went on record at 3:17 p.m.

Ms. Heeney stated that this was a continuance hearing of the proposal to deny the Certified Massage Technician application of Barbara Dobrzanska.

The Board members were introduced.

Ms. Heeney gave the background as to the history with Ms. Dobrzanska's license.

Ms. Dobrzanska was sworn in and gave testimony that due to a family situation she was unable to complete her continuing education resulting in her license expiring. She stated that she had received the expiration notice and that due to the timeframes in which she reapplied she did not meet the education requirement under the new laws.

Ms. Heeney had marked as Board's Exhibit 1 a packet of documents including: the expiration notice, application for licensure, CPR card, credentialed transcripts from Poland dated June 24, 1998, proposal to deny letter, request for a hearing, and the notice of today's hearing.

Ms. Heeney had marked as Applicant Exhibit 1 a series of notices Ms. Dobrzanska retained in her records.

Ms. Dobrzanska answered questions from the Board.

The hearing went off record and into deliberations.

The hearing went back on record at 3:40 p.m.

Ms. Dobrzanska was put back on the stand and answered additional questions from the Board.

The hearing went off record and back into deliberations.

The hearing went back on record at 3:44 p.m.

A motion was made by Ms. Harris, seconded by Mr. Dawson, to approve the Certified Massage Technician application of Barbara Dobrzanska on the grounds of unique circumstances of a family hardship and a miscommunication between the Division of Professional Regulation and her. The motion was unanimously carried.

The hearing went off record at 3:46 p.m.

Verbatim testimony was taken by a court reporter.

NEW BUSINESS

Ratification of Certified Massage Technician Certifications

A motion was made by Mr. Dawson, seconded by Ms. Harris, to ratify the Massage Technician Certificate applications of Tamra Shelley, Nichole Graham, Zachary Sezna, Xueyan Feng, Honh Ma and Jessica Zane. The motion was unanimously carried.

Ratification of Temporary Massage Technician Certifications

A motion was made by Mr. Dawson, seconded by Ms. Harris, to approve the ratification of the Temporary Massage Technician Certification of Jonathan Lanius. The motion was unanimously carried.

Ratification of License Massage Therapists Applications

A motion was made by Mr. Dawson, seconded by Ms. Harris, to ratify the Massage Therapist applications of Melissa Cicione, Christine Kerns, Alyssa Frazier, Jermaine Cannon, Jennifer Kertis-Simmons, Debra Traverse, Laurel Steinhauer, and Samantha Bowen. The motion unanimously carried.

Review of Consent Agreement

After review, a motion was made by Mr. Dawson, seconded by Ms. Harris, to accept the Consent Agreement of Hong Yu Chang as written. The motion unanimously carried.

Continuing Education Reviews

After review, a motion was made by Mr. Dawson, seconded by Mr. Gelley, to approve the following applications for continuing education:

American Massage Therapy Association

- The Magic of Money: How to Tell Where it all Disappears, 2 hours, elective
- Smart Marketing with Social Media, 2 hours, elective
- Transition from Clients to Patients, 2 hours, elective
- Beware of Bugs? What You Should know About Scabies & Lice, 2hours, elective
- Massage Therapy's Role in Integrative Care-Past, Present & Future, 2 hours, elective
- Body Reading & Assessment, 8 hours, core
- Integrated Lymphatic Drainage & Myofascial Treatment: Modern Approaches, 8 hours, core
- Active Isolated Stretching, 4 hours, core
- The Five Fast Tracks to Filling Your Practice, 4 hours, elective
- Teaching Students with Disabilities, 4 hours, elective
- Massage Efficacy- Mayo Clinic Research & Results, 4 hours,elective
- Teaching Using Social Media in the Classroom, 4 hours, elective
- Setting & Managing Roles & Boundaries, 4 hours, elective
- Research Posters: How to Make Them, Read Them, & Use Them, 4 hours, elective
- Ramp Up Results with Active Techniques, 4 hours, core
- Massage in Hospice Care: What's Our Role?, 4 hours, elective

- Corrective Bodywork: The Lower Body, 4 hours, core
- Carpal Tunnel & Tennis Elbow, 4 hours, core
- Informational Literacy, 4 hours, elective
- Massage & Alzheimer's Disease, 4 hours, elective
- Research in the Profession: Massage in Hospital Settings, 4 hours, elective
- Navigating the Complex World of Health Care Integration, 4 hours, elective
- A World of Possibilities: Using Spa Employment to Springboard Your Career Success, 4 hours, elective
- Teachers & The Right Use of Power in the Classroom, 4 hours, elective
- Fascia-What Do We Know and What Do We Notice, 4 hours, core
- Integral Anatomy Intensive, 12 hours, core
- Making Your Mark-Assessing Skills and Abilities..., 4 hours, elective

The Jim Shin Do Foundation

- Jin Shin Do Bodymind Acupressure Basic, 40 hours, core

Alternative Medicine Solutions, LLC.

- Integrative Muscular Movement Technique level 2, 12 hours, core

The motion unanimously carried.

Review of Pending Bill

Mr. Collins addressed the Board regarding the outcome of a meeting with the Sunset Committee and the Administration with regards to the elimination of the tiered licensure. There was a strong desire to maintain the technician licensure in Delaware, however there should be an assessment at licensure for Certified Massage Technicians and an exam will be considered.

Mr. Collins suggested that the Board appoint a small committee to research exams at this level or seeking out the development of a Delaware-specific exam based off of the criteria in our law.

A motion was made by Mr. Dawson, seconded by Ms. Harris, to move forward on researching the testing options for Certified Massage Technicians. The motion was unanimously carried.

The Board discussed the practice of massage and bodywork on minors and after the discussion, a motion was made by Ms. Bryner, seconded by Ms. Harris to amend the Bill to add language as follows: "For the purposes of this section, "minor" is defined as a person under the age of 18." The motion was unanimously carried.

Complaint Status

20-02-10-sent to the Office of the Attorney general
20-03-10-sent to the Office of the Attorney General
20-01-11-sent to the Office of the Attorney General
20-02-11-Assigned
20-03-11-sent to the Office of the Attorney General

Review of Audits

The Board continues to review the post-renewal audits.

CORRESPONDENCE

There was no correspondence to be reviewed by the Board.

OTHER BUSINESS

Ms. Witte welcomed two new members to the Board: Catherine Simon as the new Administrative Specialist and Sandra Jachimowski as the new professional member.

PUBLIC COMMENT

Mr. Patterson advised the Board that the on the NESL website there is a study guide available as well as all of the answers to the exam.

Mr. Patterson also added that on the Division website there is a valuable tool called "Board News" where the Board could post information from the meetings on a monthly basis for the public to view.

NEXT SCHEDULED MEETING

The next meeting is scheduled for June 16, 2011 at 1:30 p.m.

ADJOURNMENT

There being no further business, a motion was made by Mr. Dawson, seconded by Ms. Harris, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 4:17 p.m.

Respectfully submitted,

Jennifer Witte
Administrative Specialist II